

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
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DATE FILED: 7/19/2023

UNITED STATES OF AMERICA,
Plaintiff,
-against-
WALTER SCHIK,
Defendant.

1:20-cv-02211

ORDER

MARY KAY VYSKOCIL, United States District Judge:

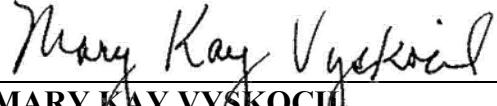
The Government filed this lawsuit against Defendant Walter Schik in March 2020. [ECF No. 1]. In August 2022, the Parties filed a joint letter advising the Court that “government counsel and the defendant were able . . . to agree to recommend key financial terms of a potential resolution of this smatter to the Department of Justice.” ECF No. 51. The letter further explained that “[g]iven the type of case and the amount of money at stake, a settlement requires approval from a senior official at the Department of Justice in Washington.” ECF No. 51. That much was understandable. But nearly a year has expired since that letter was filed and the settlement still reportedly cannot be finalized until approved by the Department of Justice. Indeed, the Government advised the Court during a Status Conference held today that it was not until this morning that the Assistant United States Attorney for the Southern District of New York submitted the settlement to Main Justice for approval. As the Court advised at today’s conference, this delay is unacceptable and the Government faces potential sanctions for failure to prosecute its case.

The Government shall advise the Department of Justice that the case must now be reported on the Court’s list of stale cases and that further delay will not be tolerated. The Government shall file a further status letter with the Court by August 19, 2023. The Government is on notice that if

the settlement has not been approved by that time, the case may be dismissed for failure to prosecute.

SO ORDERED.

Date: July 19, 2023
New York, NY


MARY KAY VYSKOCIL
United States District Judge